



PUBLIC NOTICE

File Number: NRS 13.083

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Lindsay Butler
Trace Construction
1804 Williamson Ct. #205
Brentwood, TN 37027
615-599-1816

LOCATION: The proposed alterations are in Williamson County, TN in the Tuscany Hills Subdivision, Section 5. This subdivision is located in the Mill Creek Watershed.

Latitude: 35.957216 Longitude: -86.730706

PROJECT DESCRIPTION: The applicant proposes to culvert an unnamed tributary to Owl Creek for 136 linear feet with an 18'x6', 3-sided box culvert. The purpose of this project is to provide an additional road crossing in the Tuscany Hills Subdivision. This subdivision is a Common Plan of Development and has exceeded the threshold of de minimis for alterations to water resources. Therefore, this crossing will require mitigation. The applicant proposes to preserve 6.6 acres of prime forested hillside within the subdivision to offset the water resource loss. This preserved area will be placed under land use restrictions and educational materials concerning endangered species located within the subdivision will be distributed to the area residents.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: This project is in the Mill Creek area that is encompassed by the Cheatham Lake watershed. The headwaters of Mill Creek are at the intersection of western Rutherford County with the southeastern portion of Davidson County and the northeastern portion of Williamson County. Mill Creek flows west to State Route 252. It then turns northward towards the Cumberland River draining the eastern side of the city of Brentwood, and most of Antioch, Glencliff, Woodbine, and the Nashville International Airport before reaching its confluence with the Cumberland River. This watershed has characteristic

limestone bedrock channels, caves, and high bluffs in some locations. The land use is primarily rural and suburban in the headwaters. As it enters Davidson County land use increases from suburban to commercial, ending in industrial at the mouth of the watershed. To find out more information about this watershed click here;

<http://www.tn.gov/environment/watersheds/five/cheatham/>

Stream Name / ID #: Unnamed Tributary to Owl Creek (TN05130202007_0900)

Ecoregion: 71i; Inner Nashville Basin of the Interior Plateau

Stream Dimension:

Channel bottom width	1-3 feet wide
Channel top width	3-5 feet
Water depth	0.5-2 feet
Bank height	1-3 feet

Substrate: gravels, sand, bedrock

Designated Use

Fish and aquatic life

Use Support

Not supporting

Causes

Alteration in stream side vegetation

Recreation

Fully supporting

Industrial water supply

Fully supporting

Irrigation

Fully supporting

Livestock watering & wildlife

Fully supporting

These streams are Exceptional Tennessee Waters and are impaired for habitat. These activities require mitigation. The applicant has selected on-site preservation to offset impacts to water resources and has minimized impacts by choosing alterations that are least impactful.

Assessment Date: 2012

PERMIT COORDINATOR: Vena Jones

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water

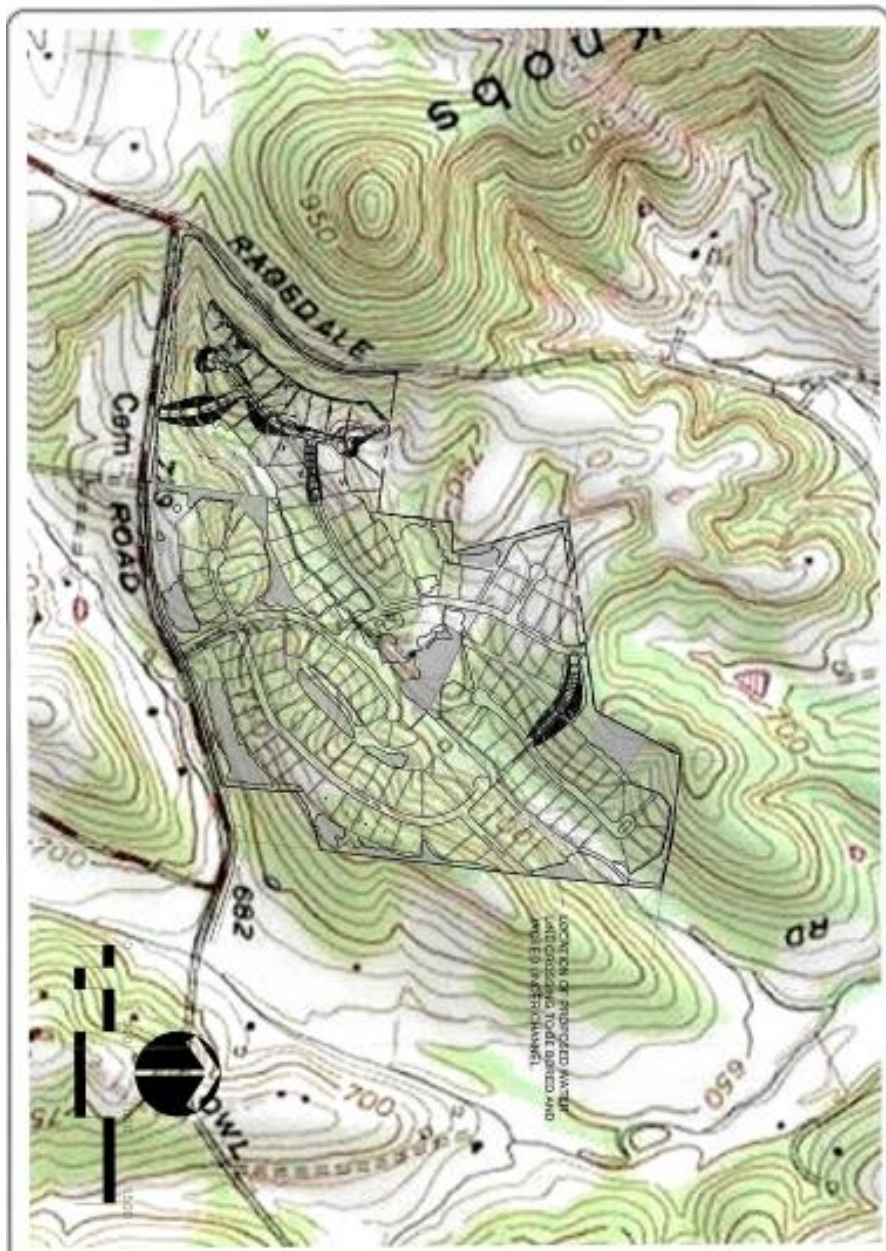
quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

APPEAL: A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Calabrese Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 11th floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation
Division of Water Resources, Natural Resources Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243

Location/Topographic Map



Site Designs

